

CLAIMS

1. A method of paying an insolvent Insurance Company's liabilities through a reinsurance agreement or other indemnification arrangements, comprising:

- a) estimating values of an Insurance Company's assets and liabilities;
- b) guaranteeing the payment of a fixed dividend to claimants or insureds of the insolvent Insurance Company, wherein said dividend is a percentage of allowed claims, the percentage being a function of said values; and
- c) receiving at least a portion of the assets of the insolvent Insurance Company, including rights to the insolvent Insurance Company's reinsurers' obligations associated with the liabilities.

2. The method of claim 1 wherein said dividend is calculated by at least adding the value of the insolvent Insurance Company assets, including the expected present value of the reinsurer's obligations, and dividing by the expected present value of associated claims against the Insurance Company.

3. The method of claim 2 further comprising setting aside assets to cover administrative costs of the Insurance Company before calculating said dividend.

4. A method of reinsuring an insolvent Insurance Company's liabilities comprising:

- a) estimating a value of the Insurance Company's assets;
- b) estimating a value of claims against the Insurance Company;
- c) evaluating obligations of reinsurers against said claims;

d) determining the shortfall of the assets including the reinsurer's obligations to cover said claims and administrative costs associated with said claims;

5 e) determining a guaranteed payment rate of said claims as a function of said shortfall;

f) indemnifying at least a portion of the Insurance Company's liabilities for said claims at said guaranteed rate by an Indemnifying Agent; and

10 g) assigning at least a portion of said assets and Reinsurer's obligations to the Indemnifying Agent.

5. The method of claim 4 further comprising:
assigning to said claims a plurality of priorities and determining a plurality of guaranteed payment rates to correspond to said claims depending on the priority assigned to the claim

15 6. The method of claim 4 further comprising:
assigning an upper limit on an aggregate amount the Indemnifying Agent is liable for said claims.

20 7. The method of claim 4 further comprising:
assigning to said Indemnifying Agent all rights of the Insurance Company for any salvage or subrogation to which the Insurance Company is entitled.

25 8. The method of claim 4 further comprising:
assigning to the Indemnifying Agent a security interest in at least some of the Insurance Company's rights in secured or special deposits or similar fund held by any state, trusts, letters of credit, and other security due to or held in the Insurance Company's favor.

9. The method of claim 4 further comprising:
appointing a Deputy Liquidator to administer the Insurance Company.

10. A software method for reinsuring an insolvent Insurance company's liabilities using a computer, said method comprising:

- 5 a) generating one or more statistical models representative of known cost values based on significant characteristics of historical insurance claims representative of immature insurance claims against the Insurance Company;
- b) storing said statistical models in a first memory storage area;
- 10 c) determining significant characteristics of said insurance claims for unstated amounts and applying said models to insurance claims for unstated amounts to estimate the actual losses anticipated for those claims;
- d) determining the expected amount of the Reinsurer's obligations on the insurance claims for unstated amounts and calculating the present value of the Reinsurer's obligations;
- 15 e) calculating a guaranteed payment rate against said claims as a function of the Insurance Company assets, the present value of the Reinsurer's obligations and the present value of underlying claims against the insurance company;
- 20 f) storing the guaranteed payment rate in a second memory storage area; and
- g) indemnifying the insolvent Insurance Company against the claims at the guaranteed payment rate in exchange for the rights to at least a portion of the Insurance Company's assets including the Reinsurer's obligations.

25 11. The method of claim 10 further comprising setting aside assets for administrative costs before calculating the guaranteed payment rate.